

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

TONY BAILEY, )  
                    )  
                    ) CIV. 8:04-cv-313  
Plaintiff,     )  
vs.                )  
                    )  
                    )  
PRIMUS STERILIZER COMPANY,     )  
                    )  
                    )  
Defendant.     )

**ORDER**

THIS MATTER came before the Court on the Joint Motion of the parties seeking to dismiss Claim I, ADA. of Plaintiff's Amended Complaint without prejudice. The Court, being fully advised in the premises, finds that said motion should be granted.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that Claim I, ADA, of Plaintiff's Amended Complaint (Filing 14) is hereby dismissed without prejudice.

DATED this 8th day of June, 2005.

BY THE COURT:

s/ Joseph F. Bataillon  
District Court Judge

Prepared by:

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